IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 26365 of 2003

Between:
Shiv-Vani Universal Limited, F-213/C, 3rd Floor, Lado Sarai, M.B. Road, New Delhi - 30, Rep. by its Authorised Signatory Mr. P. Krishna, S/o P. Appa Rao, aged 29 yrs, R/o Komaragiri Patnam, East Godavari District.

..... PETITIONER

AND

1 Assistant Commercial Tax Officer, C.T. Checkpost, Madnoor, Nizamabad District.
2 The Commercial Tax Officer, Check Post- Madnoor, Maharashtra - A.P. Border, Nizamabad Disrict.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ Order or Direction more particularly one in the nature of Wit of Mandamus, declaring the notice dt. 6-12-2003 issued by the 1st Respondent as illegal, arbitrary and without jurisdiction and set aside the same and pass such other order or orders as the Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.Y.VENKATESH REDDY

Counsel for the Respondents : GP FOR COMMERCIAL TAXES

The Court made the following O R D E R:

Heard learned counsel for the parties. The goods seized by the authorities have already been ordered to be released by an order of this Court dated 19-12-2003, on furnishing a bank guarantee for a sum of Rs.9,00,000/-. The assessment is pending.

In these circumstances, we dispose of this writ petition directing the petitioner to keep the bank guarantee alive till the assessment is completed, and the bank guarantee shall remain subject to the assessment being made by the authorities. No order as to costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

21.06.2004

1 Assistant Commercial Tax Officer, C.T. Checkpost, Madnoor, Nizamabad District.

2 The Commercial Tax Officer, Check Post- Madnoor, Maharashtra - A.P. Border, Nizamabad Disrict.

3. Two CCs to G.P. for Commercial Taxes, High Court Buildings, Hyderabad (OUT)

4. Two CD copies

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